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BARRY W. CHAPIN, ESQ.
CHAPIN INTELLECTUAL PROPERTY LAW, LLC
WESTBOROUGH OFFICE PARK
1700 WEST PARK DRIVE
WESTBOROUGH, MA 01581

EXAMINER
HAN, QI

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		09/679,109	DODRILL ET AL.
		Examiner	Art Unit	
		Qi Han	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 October 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28 and 33-35* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *35* is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☒ Claim(s) *33 and 34* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

     1.☐ Certified copies of the priority documents have been received.

     2.☐ Certified copies of the priority documents have been received in Application No. _____.

     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

Response to Amendment

2.   This communication is responsive to the applicant's amendment filed on 10/09/2007.

The applicant(s) newly amended claims 1-6, 10-11 and 13-28, and added new claims 33-35 (see

the amendment: pages 2-11).

The examiner withdraws the previous claim rejection under 35 USC 112 2nd, because the

applicant amended the corresponding claims.

Response to Arguments

3.   Applicant's arguments filed on 10/09/2007 with respect to the claim rejection under 35

USC 102 and/or 103, have been fully considered but they are not persuasive.

In response to applicant's arguments with respect to claim 1 that Ladd (primary reference)

"does not generate text portion from the body the text" and "does not teach or suggest "the first

executable resource provides an output in the response to generating the text portions" as in

amended claim 1" (Remarks: page 13, paragraphs 1-3), the examiner respectfully disagrees with

applicant's arguments and has a different view of prior art teachings and/or claim interpretations.

It is noted that Ladd discloses that 'the information source responds to the requests, sending

(generating) at least a portion of the requested information (suggesting more than one portion),

represented in electronic form, to the voice browser (providing output)' and 'the information can

be stored in database of the information source and can include text content (including text

portions), markup language document or pages (also interpreted text portions, because a markup

language document is text document and markup language pages are text portions)'(Ladd: col.

11, lines 39-44, also see Remarks: page 13, paragraph 3), which clearly teaches and/or suggests

the argued limitation(s).

In response to applicant's arguments against the references individually that "Mackenty

(secondary reference) does not teach "the output of a first executable resource "comprising a

sequence of resource identifiers for the text-to-speech conversion of the text portion" and "not

the output of sequence of resource identifiers, but merely reading a web page and producing as

sound for the different tags encountered within the page" (see Remarks: page 13, paragraph 4 to

page 14, paragraph 2), one cannot show nonobviousness by attacking references individually

where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413,

208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

1986). Further, as stated in the rejection, it is noted that MACKENTY discloses an example of

the 'text' and the corresponding markup 'HTML document' including multiple text portions with

multiple hotlinks (corresponding to a sequence of resource identifiers, such as URL), each of

them has one of text portions and an identity of a source (see col. 7, line 45 to col. 9, line 20),

which is properly read on the claimed limitation(s) based on broadest reasonable interpretation of

claim in light of the specification. Therefore, it would have been obvious to one of ordinary skill

in the art at time the invention was made to modify LADD's portions of the requested

information by providing associated resource identifiers (such as URL), each of them contains

text portion and source identity for the speech synthesizer (text-to-speech), as taught by

MACKENTY, for the purpose (motivation) of representing contents of an SGML page with

sound data rather than visual data and/or avoiding having any single node containing a large

amount of text (col. 1, lines 54-55 and col. 4, 64-65).

Regarding the arguments for other previous claims, the response is based on the same

reason described above, because the applicant's arguments (Remarks: page 14, paragraph 3 to

page 15, paragraph 2) are based on the same issue(s) as claim 1.

For at least above reasons, the previous rejection is sustained.

Claim Rejections - 35 USC § 103

4.   Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over LADD et al.

(US 6,269,336 B1) hereinafter referenced as LADD, in view of MACKENTY (US 6,088,675)

hereinafter referenced as MACKENTY.

Regarding **claim 1**, as best understood in view of the rejection under 35 USC 112 2nd (see

above), LADD discloses 'voice browser for interactive service and methods thereof'(title) with

text-to-speech conversion (col. 9, lines 1-10) in network environment (Fig. 3), comprising:

"a first executable resource" (Fig. 3 and col. 11, 26-35, 'the voice browser 250 preferably

receives information from the information sources (including executable resource), such as the

content provider 208 via the application server 242, the markup language servers 251 and 257,

database 244, and the content provider 208);

"a second executable resource" (Fig. 3 and col. 9, lines 1-10, 'the TTS unit 252

(executable resource) of the VRU server 234 receives textual data or information ...from the

application server 242' and 'converts the data to voice data or information', which read on

second executable resource), wherein:

"the first executable resource generates text portions from the body of text in

response to receiving an initial request to convert the body of text to speech" (Fig. 3 and

col. 11, lines 30-45, 'in response to voice input (initial request) from user...the voice

browser 250 generates a content request (also corresponding to initial request) to navigate

to a destination of one or more of the information sources', 'the information ...can

include text content (text portions), markup language document (also interpreted as text

portions) or pages...'; also see col. 3, lines 7-23);

"the first executable resource provides an output in response to generating the text

portions, [the output comprising a sequence of resource identifiers the text-to-speech

conversion of the text portions, each of the resource identifiers comprising a

corresponding one of the text portions and an identity of a resource for use in performing

the text-to-speech conversion]", (Fig. 3 and col. 11, lines 30-36, 'the source responds the

request, sending (generating or outputting) at least portion of the request information

(implying more than one portions)...', 'the information (the output) ...can include text

content (including text portions), markup language document or pages (also interpreted

text portions, because a markup language document is text document and markup

language pages are text portions)');

"the second executable resource receives a text portion web request that requests

the conversion of at least one text portion to an audio format, [the text portion request

comprising the at least one text portion and one of the resource identifiers]", (Fig. 3 and

col. 9, lines 1-10, 'the TTS unit 252 (second executable resource) ... receives textual data

or information (text portion web request) ...from the application server 242', 'processes

-    the textual data and converts the data to voice data or information (audio format)'); and

"the second executable resource provides at least one media file for audio output

based on the text portion request" (col. 9, lines 11-24, 'the TTS unit 252 can provide data

to the VRU client 232 which reads or plays the data (media file) to user', 'the VRU

server 234 can read the audio message to the user using human recorded speech or

synthesized speech).

LADD does not expressly discloses the output of the first executable resource

"comprising a sequence of resource identifiers for use in the text-to-speech conversion of the text

portions, each of the resource identifiers comprising a corresponding one of the text portions and

an identity of a resource for use in performing the text-to-speech conversion" and "the text

portion request comprising the at least one text portion and one of the resource identifiers".

However, this feature is well known in the art as evidenced by MACKENTY who, in the same

field of endeavor, discloses 'auditorially representing pages of SGML data' (title), comprising

that 'synthetic speech is used to read the text content aloud' and 'an SGML (Standard General

Markup Language) page can be read aloud using a speech synthesis device' with 'SGML tag'

(col. 2, lines 14-24); providing an example of the 'text' and the corresponding markup 'HTML

document' including multiple text portions and resource identifiers (i.e. URL) having a text

portion and resource identity (col. 7, line 45 to col. 9, line 20), which is properly read on the

claimed limitation(s) based on the broadest interpretation of claim in light of the specification.

Therefore, it would have been obvious to one of ordinary skill in the art at time the invention was

made to modify LADD's portions of the requested information by providing associated resource

identifiers (such as URL), each of them contains text portion and source identity for the speech

synthesizer (text-to-speech), as taught by MACKENTY, for the purpose (motivation) of

representing contents of an SGML page with sound data rather than visual data and/or avoiding

having any single node containing a large amount of text (col. 1, lines 54-55 and col. 4, 64-65).

Regarding **claim 2** (depending on claim 1), LADD in view of MACKENTY further

discloses:

"the first executable resource generates the text portions in response to receiving an

initial hypertext transport protocol (HTTP) request to convert the body of text to speech"

(LADD: col. 11, lines 34-35, 'the content request can use at least a portion of a **URL**, a URN, an

IP, a **page** request, or an electronic email'; col. 3, lines 7-23, 'the information source 106 can be

identified by an electronic address using at least portion of a **URL**' that 'can include:... "**http**:"

for accessing an **HTML** document...');

"the first executable resource provides a markup language page comprising uniform

resource locators (URL's), wherein each URL comprises a text character string for conversion to

the audio format and an HTTP address of the resource" (LADD: col. 11, lines 34-35 and col. 3,

lines 7-23, see above; MACKENTY: col. 7, line 45 to col. 9, line 20, see claim 1 above);

"the second executable resource receives at least one HTTP request comprising at least

one of the URLs" (LADD: col. 11, lines 34-35 and col. 3, lines 7-23, see above; MACKENTY:

col. 7, line 45 to col. 9, line 20, see claim 1 above).

Regarding **claim 3**, it recites a method. The rejection is based on the same reason

described for claim 1, because the claim recites same or similar limitation(s) as claim 1.

Regarding **claim 4** (depending on claim 3), the rejection is based on the same reason described for claim 2, because the claim recites same or similar limitation(s) as claim 2.

Regarding **claim 5**, it recites a server. The rejection is based on the same reason described for claim 1, because the claim recites (or includes) same or similar limitation(s) as claim 1.

Regarding **claim 6** (depending on claim 5), the rejection is based on the same reason described for claim 2, because the claim recites (or includes) same or similar limitation(s) as claim 2.

Regarding **claim 7** (depending on claim 5), LADD in view of MACKENTY further discloses "the executable resource provides the resource identifiers in a prescribed sequence based on respective positions of the text portions in the body of text", (MACKENTY: col. 7, line 45 to col. 9, line 20), wherein the example shows the prescribed sequence of URLs for different portions of the texts, based on certain positions (such paragraph) of the body of the texts, which broadly can be read on the claim).

Regarding **claim 8**, it recites a method. The rejection is based on the same reason described for claim 5, because the claim recites same or similar limitation(s) as claim 5.

Regarding **claim 9** (depending on claim 8), LADD in view of MACKENTY further discloses "receiving an initial request for a text-to-audio conversion of the body of text, wherein the step of generating the text portions comprises generating the text portions in response to the step of receiving the initial request", (LADD: Fig. 3 and col. 11, lines 30-45, 'in response to voice input (initial request) from user…the voice browser 250 generates a content request to navigate to a destination of one or more of the information sources', 'the information …can

include text content (text portions), markup language document (also interpreted as text portions)

or pages…').

Regarding **claim 10** (depending on claim 8), LADD in view of MACKENTY further

discloses "generating each text portion in a manner for inclusion in a hypertext transport protocol

(HTTP) request", (LADD: col. 11, lines 34-35, 'the content request can use at least a portion of a

URL, a URN, an IP, a **page** request, or an electronic email', 'the information source responds to

the requests …' and 'the information can including text content, markup language document or

pages'; col. 3, lines 7-23, 'the information source 106 can be identified by an electronic address

using at least portion of a **URL**' that 'can include:… "**http**:" for accessing an **HTML**

document…'; MACKENTY: col. 7, line 45 to col. 9, line 20, shows http protocol used in HTML

document for each text portion).

Regarding **claim 12** (depending on claim 8), the rejection is based on the same reason

described for claim 7, because the claim recites same or similar limitation(s) as claim 7.

Regarding **claim 13**, it recites a server. The rejection is based on the same reason

described for claim 1, because the claim recites (or includes) same or similar limitation(s) as

claim 1.

Regarding **claim 15**, it recites a computer product. The rejection is based on the same

reason described for claim 1, because the claim recites (or includes) same or similar limitation(s)

as claim 1.

Regarding **claim 17**, it recites a text-to-audio server. The rejection is based on the same

reason described for claim 1, because the claim recites (or includes) same or similar limitation(s)

as claim 1.

Regarding **claim 19** (depending on claim 17), LADD in view of MACKENTY further

discloses that "the response comprises media files for the audio output", (LADD: Fig. 3 and col.

9, lines 11-24, 'the TTS unit 252 can provide data to the VRU client 232 which reads or plays

the data (media file) to user', 'the VRU server 234 can read the audio message (audio output) to

the user using human recorded speech or synthesized speech').

Regarding **claim 20**, it recites a method. The rejection is based on the same reason

described for claim 1, because the claim recites (or includes) same or similar limitation(s) as

claim 1.

Regarding **claim 22** (depending on claim 20), the rejection is based on the same reason

described for claim 19, because the claim recites same or similar limitation(s) as claim 19.

Regarding **claim 23**, it recites a text-to-audio server. The rejection is based on the same

reason described for claim 1, because the claim recites (or includes) same or similar limitation(s)

as claim 1.

Regarding **claim 25**, it recites a computer program product. The rejection is based on the same

reason described for claim 1, because the claim recites (or includes) same or similar limitation(s)

as claim 1.

Regarding **claims 11** (depending on claim 8), **14** (depending on claim 13), **16** (depending

on claim 15), **18** (depending on claim 17), **21** (depending on claim 20), **24** (depending on claim

23) and **26** (depending on claim 25), the rejection is based on the same reason described for

claim 6, because the claims respectively recite same or similar limitation(s) as claim 6.

Regarding **claim 27**, it recites a method. The rejection is based on the same reason described for

claim 1, because the claim recites (or includes) same or similar limitation(s) as claim 1.

Regarding **claim 28** (depending on claim 27), the rejection is based on the same reason described for claim 2, because the claim recites (or includes) same or similar limitation(s) as claim 2.

Allowable Subject Matter

5. Claims 33-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding newly added **claims 33-34** (depending on claim 1), the instant application is directed to a system for providing text-to-speech conversion of a body of text. Each of the claims, combining all limitations of the parent claim 1 comprising certain well-known features in the art, identifies the uniquely distinct features of:

dividing the body of the text into the text portions, and

the output of the first executable is a sequences of uniform resource locators (URL) for each text portion, the uniform resource locator comprising a name of a resource for converting text-to-speech and the words of a divided text portion separated by delimiters.

6. Claim 35 is allowed.

The following is an examiner's statement of reasons for allowance:

Regarding newly added independent **claim 35**, the instant application is directed to a method for providing text-to-speech conversion of a body of text. The independent claim,

combining some well known features in the art, respectively identifies the uniquely distinct

features of:

dividing into a sequence of text portions a body of text;

converting the divided text portions into a sequence of uniform resource locators, the

uniform resource locators comprising a name of a resource for converting text-to-speech and the

words of a divided text portion separated by delimiters;

receiving a request to use at least one of the sequence of uniform resource locators.

7.   The prior art of record, LADD et al. (US 6,269,336 B1) and MACKENTY (US

6,088,675), provided numerous teachings and techniques for interactive services in a network

environment, proving voice browser, text-to-speech conversion, speech recognition, navigating

information resources and responding the content request with HTTP and URL, sending at least

a portion of the request information including text content and markup language document or

pages; converting a text into HTML document having multiple portions with associated URL

and text portion. However, the combined features stated above are not anticipated by, nor made

obvious over the prior art of the record.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A

shortened statutory period for reply to this final action is set to expire THREE MONTHS from

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the

mailing date of this final action and the advisory action is not mailed until after the end of the

THREE-MONTH shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory

period for reply expire later than SIX MONTHS from the date of this final action.

9.   Please address mail to be delivered by the United States Postal Service (USPS) as
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        Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Qi Han whose telephone numbers is (571) 272-7604. The
examiner can normally be reached on Monday through Thursday from 9:00 a.m. to 7:30 p.m. If
attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,
Richemond Dorvil, can be reached on (571) 272-7602.

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QH/qh
December 15, 2007

SUPERVISORY PATENT EXAMINER